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ACE AMERICAN INSURANCE COMPANY

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY**

WOODCLIFF LAKE BOARD OF  
EDUCATION,

Plaintiff,

v.

ACE AMERICAN INSURANCE  
COMPANY,

Defendant.

Civil Action No.: 2:11-cv-02704 (SRC)

**CERTIFICATION OF DANIEL PICKETT  
IN SUPPORT OF DEFENDANT ACE  
AMERICAN INSURANCE COMPANY'S  
MOTION TO DISMISS THE COMPLAINT,  
OR IN THE ALTERNATIVE STAY THE  
ACTION, AND TO COMPEL  
ARBITRATION**

DANIEL PICKETT, certifies under penalty of perjury as follows:

1. I am an attorney-at-law licensed to practice in New Jersey and am an associate with the law firm of Sedgwick LLP, attorneys for Defendant ACE American Insurance Company ("ACE American"), in connection with the above-captioned matter.

2. I make this certification in support of ACE American's motion to dismiss pursuant to F.R.Civ.P. 12(b)(1) dismissing plaintiff's complaint, or in the alternative to stay the action, and to compel arbitration. I am familiar with the facts of this case and the facts state herein.

3. Attached hereto as Exhibit 1 is a true and correct copy of the complaint in the underlying action captioned Sal Electric Co., Inc. v. Woodcliff Lake Board of Education and

SBN Enterprises, Inc., filed in the Superior Court of New Jersey, Law Division, Bergen County,  
Docket No. BER-L-1580-08.

4. Attached hereto as Exhibit 2 is a true and correct copy of ACE Advantage® Education Legal Liability and Employment Practices Liability Policy No. EON G21680655 002 issued to the Woodcliff Lake Board of Education (the "Woodcliff Lake BOE") covering the period from July 1, 2007 to July 1, 2008.

5. Attached hereto as Exhibit 3 is a true and correct copy of a letter dated May 9, 2011, from Joseph K. Powers to Stephen R. Fogarty regarding alternative dispute resolution for the present action.

6. I certify that the foregoing statements are true. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.

Dated: June 1, 2011

  
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DANIEL PICKETT, ESQ.